

4,000 copies of such a compilation would be \$13,408.44.

At the request of the Committee on Rules and Administration, the Subcommittee on National Security Staffing and Operations has reappraised its original request and reduced its proposal to what it considers the absolute minimum to serve its purpose.

The revised proposal, which the Rules Committee has incorporated into Senate Concurrent Resolution 11 by an amendment in the nature of a substitute, is as follows:

1. Reduction of the quantity from 4,000 to 3,000 copies;
2. Elimination of the background studies, which constituted the bulk of the proposed volume 2; and
3. Printing one volume only, to consist of the hearings together with the brief staff studies thereon.

#### PRINTING AS A SENATE DOCUMENT OF THE STUDY ENTITLED "U.S. INTERNATIONAL SPACE PROGRAMS"

The resolution (S. Res. 129) to print as a Senate document a study entitled "U.S. International Space Programs With Texts of Executive Agreements, Memorandums of Understanding, and Other International Arrangements, 1959, 1965," was considered and agreed to, as follows:

*Resolved*, That there be printed as a Senate document a study entitled "United States International Space Programs With Texts of Executive Agreements, Memorandums of Understanding and Other International Arrangements, 1959-1965", prepared for the use of the Committee on Aeronautical and Space Sciences; and that there be printed two thousand four hundred additional copies of such document for the use of that committee.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 522), explaining the purposes of the resolution.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

Senate Resolution 129 would authorize the printing as a Senate document of a study entitled "United States International Space Programs With Texts of Executive Agreements, Memorandums of Understanding, and Other International Arrangements, 1959-65," prepared for the use of the Committee on Aeronautical and Space Sciences; and further would authorize the printing of 2,400 additional copies of such document for the use of that committee.

#### REAPPOINTMENT OF ROBERT V. FLEMING AS CITIZEN REGENT OF THE BOARD OF REGENTS OF THE SMITHSONIAN INSTITUTION

The joint resolution (H.J. Res. 324) to provide for the reappointment of Robert V. Fleming as citizen regent of the Board of Regents of the Smithsonian Institution was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 523) explaining the purposes of the joint resolution.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

House Joint Resolution 324 would provide that the vacancy in the Board of Regents of the Smithsonian Institution, of the class other than Members of Congress, occasioned by the expiration of the term of Robert V. Fleming, of Washington, District of Columbia, on July 23, 1965, be filled by the reappointment of Mr. Fleming for the statutory term of 6 years.

The Board of Regents, pursuant to 20 U.S.C. 42, is composed of the Vice President, the Chief Justice of the United States, three Members of the Senate, three Members of the House of Representatives, and six other persons other than Members of Congress. The six citizen Regents, two of whom shall be residents of the District of Columbia and four of whom shall be inhabitants of some State (but no two of the same State), are appointed by joint resolution of Congress and serve 6-year terms.

Mr. Fleming's long service as a Citizen Regent is appraised by Dr. S. Dillon Ripley, Secretary of the Smithsonian Institution, as follows:

"Robert V. Fleming is one of America's distinguished bankers and philanthropic leaders. He has given most generously of his time in performing his duties as a Regent of the Smithsonian Institution. First appointed to the Board on July 26, 1947, Mr. Fleming was reappointed in 1953 and 1959. He is at present Chairman of the Executive Committee of the Board of Regents. Mr. Fleming's services to the Smithsonian Institution have been outstandingly valuable because of the wisdom that he brings to the Institution in connection with the management of its invested funds."

#### AMENDMENT TO COMMUNICATIONS ACT OF 1934 WITH REGARD TO RADIO TOWERS

The bill (S. 903) to amend the Communications Act of 1934, as amended, with respect to painting, illumination, and dismantlement of radio towers was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That section 303(q) of the Communications Act of 1934 (47 U.S.C. 303(q)) is amended by inserting after the period at the end thereof the following: "The permittee or licensee shall maintain the painting and/or illumination of the tower as prescribed by the Commission pursuant to this section. In the event that the tower ceases to be licensed by the Commission for the transmission of radio energy, the owner of the tower shall maintain the prescribed painting and/or illumination of such tower until it is dismantled, and the Commission may require the owner to dismantle and remove the tower when the Administrator of the Federal Aviation Agency determines that there is a reasonable possibility that it may constitute a menace to air navigation."

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 524), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

##### PURPOSE OF LEGISLATION

The purpose of S. 903 is to amend section 303(q) of the Communications Act of 1934 to require that abandoned or unused radio towers continue to meet the same painting and lighting requirements that would be applicable if such towers were being used

in connection with the transmission of radio energy pursuant to a license issued by the Federal Communications Commission. The bill further empowers the Commission to direct dismantlement of such towers when the Administrator of the Federal Aviation Agency determines that there is a reasonable possibility that they may constitute a menace to air navigation.

Under section 303(q) of the Communications Act, the Federal Communications Commission has authority to require the painting and/or illumination of radio towers if and when in its judgment such towers constitute, or there is a reasonable possibility that they may constitute, a menace to air navigation. Pursuant to this statutory authority, the Commission has adopted criteria to gauge the aeronautical hazard in particular cases and has prescribed rules specifying the painting and lighting requirements for these towers (pt. 17 of FCC rules).

However, when a radio station license expires, is canceled, or is revoked, these towers are no longer used in connection with authorized radio station operation. They are then "abandoned towers," and as such, do not appear to fall within the Commission's jurisdiction to compel continued marking or lighting. Radio towers, which are of latticed construction, are inherently less visible than solid structures such as buildings, water towers, smokestacks, and the like. The potential menace to air navigation of such a tower left standing unlighted and unpainted is obvious.

The Joint Industry Government Tall Structures Committee (JIGTSC), established by the Air Coordinating Committee to investigate the problems raised by the joint use of airspace by the aviation and broadcast industries, and to recommend appropriate action establishing the position of the Federal Government, recommended in 1957 that "the Federal Communications Commission require the removal or appropriate lighting and marking of unused or abandoned towers if it has such authority, and if such authority does not exist . . . that the Federal Communications Commission seek appropriate legislation to attain this objective."

##### GENERAL STATEMENT

Legislation designed to accomplish the lighting and painting of unused or abandoned towers was introduced in the 85th and succeeding Congresses at FCC request. One such bill, S. 684, was favorably reported to the Senate by the committee on May 10, 1961, with an amendment to include authority for the Federal Communications Commission to require the owner to dismantle and remove such a tower when there is a reasonable possibility that it may constitute a menace to air navigation. S. 684, as reported, passed the Senate on May 16, 1961. The House of Representatives took no action on that bill.

S. 903, the legislation here under consideration, includes FCC authority to require the owner to dismantle and remove such a tower when the Administrator of the Federal Aviation Agency determines that there is a reasonable possibility that it may constitute a menace to air navigation.

A hearing was held on the bill by the committee on June 23, 1965, at which the Federal Communications Commission Chairman, E. William Henry, and David D. Thomas, Associate Administrator for Programs, of the Federal Aviation Agency, testified in support of the proposal. No witness appeared in opposition to the bill.

##### CONCLUSION

The committee desires to make it perfectly clear that the legislation herein reported deals with abandoned or unused radio towers. Orderly administration requires that the Federal Communications Commission be authorized to deal with the problem

of assuring to the fullest extent possible that radio antenna towers be properly lighted and painted at all times both during and subsequent to their use for radio transmitting purposes. If necessary, when the Administrator of the Federal Aviation Agency finds that there is a reasonable possibility that an abandoned or unused tower constitutes a menace to air navigation, the Federal Communications Commission should be empowered to require the owner to dismantle and remove it.

#### COMMON CARRIER NOTICES TO BE FILED BY THE SECRETARY OF DEFENSE

The bill (S. 1554) to amend subsection (b) of section 214 and subsection (c) (1) of section 222 of the Communications Act of 1934, as amended, in order to substitute the Secretary of Defense (rather than the Secretary of the Army and the Navy) as the person entitled to receive official notice of the filing of certain applications in the common carrier service was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (b) of section 214 of the Communications Act of 1934, as amended (47 U.S.C. 214 (b)), is amended by deleting from the first sentence thereof "the Secretary of the Army, the Secretary of the Navy," and inserting in lieu thereof "the Secretary of Defense."*

SEC. 2. That subsection (c) (1) of section 222 of the Communications Act of 1934, as amended, is amended by deleting from the first sentence thereof "the Secretary of the Army," and "the Secretary of the Navy," and inserting in lieu thereof "the Secretary of Defense," immediately after "Secretary of State," in such sentence.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 525), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

#### GENERAL AGREEMENT

This bill was introduced by Senator WARREN G. MAGNUSON, chairman of the committee, at the request of the Federal Communications Commission. A hearing thereon was held on June 23, 1965, at which the Federal Communications Commission Chairman, E. William Henry, testified in support of the proposal. No witness appeared in opposition to the bill.

Under the Communications Act, as amended, when a communications common carrier wants to extend its lines or to discontinue or curtail existing service, it must apply to the FCC for permission to do so. Subsection (b) of section 214 of that act provides that among those entitled to receive official notice of the filing of such an application are the Secretary of the Army and the Secretary of the Navy. A similar provision for official notice is contained in subsection (c) (1) of section 222 in cases of consolidations and mergers.

The FCC has, in practice, sent copies of such applications to the Secretaries of the Army, Navy, and Air Force, as well as the Secretary of Defense. Commission Chairman Henry testified that in the vast majority of cases the Department of Defense is the agency that makes the required reply.

S. 1554, by requiring notice only to the Secretary of Defense in such cases, should

provide adequate notice to the military and, at the same time, eliminate unnecessary administrative work.

#### BILL PASSED OVER

The bill (S. 1948) to amend the Communications Act of 1934, as amended, with respect to commissioners, employees, and executive reservists of the Federal Communications Commission was announced as next in order.

Mr. MANSFIELD. Mr. President, over.

The VICE PRESIDENT. The bill will be passed over.

#### IMPLEMENTATION OF CONVENTION FOR THE SAFETY OF LIFE AT SEA, LONDON, 1960

The bill (H.R. 7954) to amend the Communications Act of 1934 to conform to the Convention for the Safety of Life at Sea, London (1960) was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 526), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

#### PURPOSE OF LEGISLATION

The purpose of this legislation is to amend the Communications Act of 1934 to give full and complete effect to the Convention for the Safety of Life at Sea, formulated in London in 1960. That Convention was ratified by the U.S. Senate on April 12, 1962, and entered into force on May 26, 1965.

#### GENERAL STATEMENT

H.R. 7954 passed the House of Representatives on June 7, 1965, with one amendment. The purpose of the amendment was to make clear the requirement with regard to the direction finding apparatus should apply only to new direction finding apparatus and not to existing installations.

A hearing on H.R. 7954, as well as a companion bill, S. 1949, was held by the committee on June 23, 1965, at which time the Federal Communications Commission Chairman, E. William Henry, testified and supported the proposal. No witnesses appeared in opposition to the bill.

The bill generally modernizes compulsory ship-radio safety requirements. It would make the following substantive changes in present law:

1. Lower the minimum limit from 500 to 300 gross tons with regard to cargo ships which are required to carry radio installations;

2. Eliminate nuclear ships from the categories of ships which regard to which the Commission is authorized to make exemptions insofar as radio installations are concerned; and

3. Eliminate the compulsory radio requirements of the Communications Act for vessels which are navigated both in the open sea and on the Great Lakes during such time that such vessels are on the Great Lakes. Vessels operating on the Great Lakes are subject to the safety radio requirements of the Great Lakes Agreement between the United States and Canada.

The other amendments are generally non-substantive and involve changes in terminology, etc.

Mr. MANSFIELD. That concludes the call of the calendar.

#### RESOLUTION OF ILLINOIS HOUSE OF REPRESENTATIVES

The VICE PRESIDENT laid before the Senate a resolution of the House of Representatives of the State of Illinois, which was referred to the Committee on the Judiciary, as follows:

#### HOUSE RESOLUTION 215 OF THE STATE OF ILLINOIS

Whereas the 73d general assembly adopted Senate Joint Resolution 4, thereby making application to the Congress of the United States to call a convention for the purpose of proposing a suggested amendment to the Federal Constitution, the effect of which would be to permit the legislatures of two-thirds of the several States by application to propose amendments to the Federal Constitution, in lieu of calling a convention for proposing amendments, and to omit ratification of proposed amendments by conventions in three-fourths of the several States. The suggested amendment further provides for the President of the Senate and the Speaker of the House to certify that the amendment to be proposed is deemed proposed without further action by Congress whenever the applications from the legislatures of two-thirds of the several States contain identical texts; and

Whereas the House of Representatives of the 74th general assembly considers the proposal made by such resolution inadvisable and is opposed thereto: Therefore, be it

*Resolved by the House of Representatives of the 74th General Assembly of the State of Illinois, That it express its opposition to the application and intent of the resolution set forth in the preamble hereof and that it hereby rescinds the aforesaid application to the Congress; and, be it further*

*Resolved, That the secretary of state be directed to forward a copy of this resolution to the Senate and House of Representatives of the Congress of the United States.*

Adopted by the House, June 30, 1965.

JOHN P. TOUHY,  
Speaker of the House.

#### CENTRAL OKLAHOMA PROJECT, SPONSORED BY DEEP FORK WATERSHED ASSOCIATION—RESOLUTION

Mr. MONRONEY. Mr. President, one of Oklahoma's great organizations is the Deep Fork Watershed Association. Its membership is made up of the farmers, merchants, lawyers, bankers, and citizens of this seven-county area of Oklahoma. The unity of the organization is based more on the common objectives of its membership than on its constitution and bylaws. Its officers serve through a dedicated desire to do something constructive for their community and for their neighbors, rather than for any credit they may receive. Its meetings are informal and truly community meetings.

The organization has a slogan, "Saving the soil is next to saving the soul." Also on its letterhead is this statement:

All officers, old or new, are directors. All serve until every drop of Deep Fork water is committed to a useful purpose.

One of the projects which the Deep Fork Watershed Association is sponsoring is the COP—the central Oklahoma project. This project should have been included in the omnibus rivers and harbors, flood control, and multiple-purpose projects bill which the Senate passed on July 27. However, it is before the Board of Engineers for Rivers and Harbors and